

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

DAWN ZEHNER,)	
)	
Plaintiff,)	
)	
v.)	No. 4:08CV403 TIA
)	
GE HOMELAND PROTECTION, INC.,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

This matter is before the Court on David C. Knieriem's Motion to Withdraw. (Docket No. 37). The parties consented to the jurisdiction of the undersigned pursuant to 28 U.S.C. § 636(c).

On February 5, 2008, Plaintiff Dawn Zehner filed a petition in the Circuit Court of St. Louis County against Defendant GE Homeland Protection, Inc. ("GE Homeland"), alleging products liability, negligent design, and negligent service. Plaintiff alleges that she was injured when baggage ejected from a CTX baggage x-ray machine at Lambert St. Louis Airport struck her, causing damages to her arm and shoulder. Defendant filed a Notice of Removal with this Court on March 24, 2008.

On February 6, 2009, one month before the extended ADR deadline, Plaintiff's attorney filed a Motion to Withdraw as Attorney citing a "conflict" with his client. In support, counsel represents that he communicated with his client his intent to file the instant motion, and his client did not object. Generally, this Court will not allow counsel to withdraw from representation unless substitute counsel enters an appearance for the client.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's counsel shall state, in writing, the specific nature

of the conflict, along with a showing of good cause for the apparent untimeliness of the motion to withdraw within five days of this Order. If requested information is privileged, counsel may file the brief under seal.

IT IS FURTHER ORDERED that counsel shall submit an affidavit from Plaintiff wherein Plaintiff avers that she consents to counsel's withdrawing his representation and that she is aware of the fast-approaching ADR and discovery deadlines in the case.

/s/ Terry I. Adelman
UNITED STATES MAGISTRATE JUDGE

Dated this 11th day of February, 2009.